

### Remarks

The present response is to the Office Action mailed the above-referenced case on December 01, 2004. Claims 1-24 are presented below for examination. The Examiner has objected to the disclosure due to informalities. In response, applicant amends the specification to correct the deficiencies. Applicant further provides drawing corrections where applicable to address other inconsistencies which have come to applicant's attention. These corrections are proposed in red-lined copies of Fig. 3, Fig. 4 and Fig. 5 provided herewith for the Examiner's review.

Claims 1-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky et al. (U.S. 6,175,564), hereinafter Miloslavsky, in view of Fukuda et al. (6,760,322), hereinafter Fukuda. Claims 7-10 and 13-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky in view of Fukuda, and further in view of Patil et al. (U.S. 2002/0120691), hereinafter Patil.

Applicant has carefully studied the references provided by the Examiner, and the Examiner's objections, rejections and statements of the instant Office Action. Firstly, applicant wishes to note that there are common inventors in the present case and the reference(s) cited and applied by the Examiner, and that the subject matter relied upon in the reference(s) may well be commonly owned and invented by the present inventor. Applicant reserves the right to analyze this probability relative to the applicability of the references at a later time, and focuses instead at present upon the merits of the case relative to the references.

In response to the Examiner's merit rejections of applicant's claims, applicant herein amends the language of the base claims to more particularly recite and the distinctly claim the subject matter of applicant's invention which is regarded as patentable. Applicant further provides argument to more clearly and particularly point out to the Examiner the patentable subject matter of applicant's invention, as recited in the claims as amended, and to clearly and unarguably distinguish applicant's claims over the references provided, either singly or in combination.

Applicant's independent claim 1 is amended to more broadly recite a network-enabled telecommunications environment, and a call-switching mechanism accessible by

the call-control mechanism, and operating at a public network-level. Claim 13 is applicant's method claim for practicing applicant's invention in accordance with the limitations of claim 1. Applicant accordingly herein amends the language of claim 13 to specifically recite a method for providing third-party call control in a network-enabled telecommunications environment, and in step (d), sending a command using the low-level descriptor language to a controller of the switching matrix, the command to initiate, at a public network level, a call connections based on selected attributes of the call model.

Referring the Examiner now to applicant's specification, specifically with reference to Fig. 4, incoming COST calls from PSTN 13, via trunk 23, are received at bridge unit 87, wherein they are converted to IPNT format at the public network level before being routed to the call center 89. Calls may also be received and bridge unit 87 from Internet 15, in the reverse direction, and converted to COST calls. The call conversion bridge 87 may also be in the PSTN or other network, or in the Internet space.

Applicant's bridge unit 87 has a unique and innovative capability for seamlessly converting COST calls to IPNT calls, and accessing information from the call controller server 29 in the communications center 89 in order to effectively route the IPNT call to the proper agent destination station in the communications center. The COST calls received into bridge unit 87 from trunk 23 may be associated with an IP address and routed through the Internet directly to the call center, or to any other IP address. Enterprises which have only Internet Protocol-enabled call centers are thereby enabled to advertise and handle no-charge COST numbers, such as 1-800 numbers, that can be matched to an IP address, for instance, to the router such as control router 29 within call center 89.

A clear and advantageous distinction of applicant's invention over the combined prior art references, is that the call center, such as call center 89 may be implemented as an IPNT-only center, which eliminates much expensive hardware software and connectivity associated with other prior art call centers, such as those of the references provided by the Examiner, in which the COST call switching function resides at the call center, not at the public network level. Much expensive COST switching equipment normally found within prior and current call centers is no longer required, because the

calls are commuted, or converted at the public network level, before routing to the communication center. Costly wiring and other expensive COST equipment is also no longer required at the communications center, saving much cost and complexity in the system. The call center functions are substituted with much less expensive and easier managed IPNT counterparts and software, and expensive network cabling and hardware used in prior art bridging techniques is also eliminated, resulting in companies which offer services as well as those hosting call centers to realize substantial cost reductions related to previously required architecture and infrastructure.

With reference again to applicant's Fig. 4, callers may dial a no-cost 1-800 number, connecting them to bridge unit 87, where in a matching IP address is retrieved from a database by the bridge unit, and the COST call is then converted to IPNT format and routed through the Internet to the communication center specific destination, or to any other IP address on the Internet. All incoming calls to call center 89 originating from COST number are now, by virtue of the network-level commuting of calls, received and routed via router 29 in the communications center to agents of the communication center as IPNT calls, and are handled at the communications center in the same way as IPNT calls originating from the Internet, thereby providing a seamless integration.

Applicant now wishes to direct the Examiner's attention to the reference of Miloslavsky, specifically in reference to Fig. 19, which illustrates a block diagram of a call center 5100 for implementing the invention. It is clearly described that the call center is connected to a PSTN network 5104. The call center comprises a switch 5108 which accepts calls from the PSTN. The switch resides in the call center, not at the public network level as in applicant's invention. The switch comprises a high bandwidth port connecting to the PSTN, and low bandwidth ports connecting to connecting to telephones of the agents in the call center.

In the Examiner's remarks of the instant Office Action the Examiner has equated switch 5108 in the call center with applicant's switching apparatus embodied in the language of applicant's claims. Applicant's switching apparatus is the enhanced bridge unit 87 appearing in Figs. 4 and 5, which clearly illustrate that the bridge unit does not

reside and function at the communications center; rather, it clearly operates in the public network, either in the PSTN or Internet, as is clearly described in the specification.

Applicant's independent claims as amended now specifically recite that the switching apparatus (bridge unit 87) operates in the public network, not the private network of the communication center, as in Miloslavsky. It is clear that Miloslavsky would not have motivation for a public-network-level switching apparatus, because Miloslavsky teaches that all of the call switching/converting functions reside at the switch 5108 residing in the communications center, which teaches away from applicant's invention. Applicant's invention solves the problem of expensive and complex COST equipment and wiring in the communications center, by converting all calls to IPNT before the call is routed to the communications center, eliminating the need for any COST equipment in the communications center. Miloslavsky does not teach, suggest or have motivation for this infrastructure, and clearly teaches an alternative invention for solving an alternative problem, than that which is solved by applicant's invention. Calls arrive at the communication center of Miloslavsky, and are converted from PSTN to IPNT only after arriving at the communications center, by switch 5108, therefore, the COST equipment is necessary in the communication center of Miloslavsky in order to practice the invention. Applicant therefore believes that Miloslavsky fails as a primary reference, because, as explained above, not all of the limitations of applicant's claims as amended are taught or suggested in the reference.

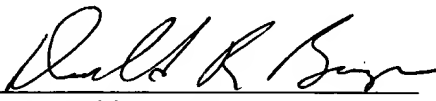
The Examiner has relied on the reference of Fukuda simply for teaching sending notification of success or failure regarding implementation of received commands back to the control application. Applicant believes that the combination of Miloslavsky/Fukuda essentially fails to produce applicant's invention, and the primary reference of Miloslavsky should therefore be withdrawn in view of applicant's above arguments and amendments to the claims.

Applicant's independent method claim 13 is rejected as being unpatentable over Miloslavsky in view of Fukuda, and in further view of Patil, upon which the Examiner relies for teaching service scripts used in the execution of call control function units or servers, wherein the scripts may be written using some XML-like language. Applicant

therefore believes that claim 13 is also patentable over the combined prior art as the references clearly do not produce applicant's invention as taught in the specification and recited in the claims as amended. Depending claims 2-12 and 14-24, all now depending from a patentable claim, are then now patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims standing for examination have been shown to be patentable as amended and argued above by applicant over the prior art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,  
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